

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Emily Harris, and Kent Herink on July 7, 2010.

The application has been amended as follows:

In the claims, amend claims 4 and 5 as follows;

4. The method as defined in claim 1, wherein the infection is hepatitis C.
5. The method according to claim 4, wherein the sesquiterpene is administered in combination with interferon or peg-interferon.

Reasons for Allowance

Applicants' amendments and remarks submitted April 26, 2010 have been fully considered. The amendments set forth above are to clearly define the claimed invention and to resolve any issue remains in the claims. The claims are allowable as the application provides unexpected results residing in the claimed invention. Particularly, the sesquiterpene herein has been shown to be active against several species of viruses (see office action on the record). The application shows that the antiviral activity of the sesquiterpene against individual virus species is unpredictable. Particularly, the sesquiterpene shows unexpected strong activity against bovine

viral diarrhea virus in bovine kidney cells, an art recognized model for hepatitis C virus. See, pages 6 and 7 herein in the specification.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shengjun Wang whose telephone number is (571) 272-0632. The examiner can normally be reached on Monday to Friday from 7:00 am to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sreeni Padmanabhan, can be reached on (571) 272-0629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Shengjun Wang/
Primary Examiner, Art Unit 1627